REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicants thank the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-12 were pending in the referenced application. By way of this reply, claims 13-24 have been added and claims 1-12 have been cancelled, without prejudice or disclaimer. Accordingly, claims 13-24 are now pending in the referenced application. Claims 13, 18, 21, and 23 are independent. The remaining claims depend, directly or indirectly, from independent claims 13, 18, 21, and 23.

Claim Amendments

New claims 13-24 include limitations similar to the originally-filed claims. Support for the aforementioned amendments is present, *e.g.*, in Figure 2 and the associated text. No new matter has been added by any of the aforementioned amendments.

Rejections under 35 U.S.C. § 103

Claims 1-3 and 5-12

Claims 1-3 and 5-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Application Publication No. 2001/0015977 ("Johansson") in view of U.S. Application Publication No. 2004/0166843 ("Hahn"). Claims 1-3 and 5-12 have been cancelled by this reply, rendering this rejection moot. Accordingly, withdrawal of this rejection is respectfully requested.

<u>Claim 4</u>

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Johansson in view of Hahn, and further in view of U.S. Application Publication No. 2002/0183045 ("Emmerson"). Claim 4 has been cancelled by this reply, rendering this rejection moot. Accordingly, withdrawal of this rejection is respectfully requested.

New Claims

As discussed previously, new claims 13-24 have been added by way of this reply. Claims 13, 18, 21, and 23 are independent. Further, new claims 14-17 depend, directly or indirectly, from new claim 13, new claims 19-20 depend from new claim 18, new claim 22 depends from new claim 21, and new claim 24 depends from new claim 23.

New claims 13-24 are patentable over the cited references for at least the following reasons. Specifically, new claims 13-24 are directed to embodiments in which a communication device (*e.g.*, mobile phone) is able to receive a management-request instruction (*e.g.*, for opening a connection with the server) for a subscriber identity module (SIM). In one or more embodiments of the claimed invention, following receipt of the SIM management-request instruction, the communication device delivers the request to the SIM, which then executes the management-request instruction (via a local software). In particular, the execution of the management-request instruction by the SIM causes the communication device to automatically request the server to effect a content downloading operation into the SIM (*e.g.*, to manage data or applications in the SIM). *See e.g.*, Fig. 2 and new claims 13, 18, 21, and 23.

Accordingly, new independent claim 13 recites, *inter alia,*

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"...[communication device comprises functionality to] receive a
      subscriber     identity     module     management-request
      instruction    from   the   server   via   the   first
      communication network, and
deliver the subscriber identity module management-request to
      the subscriber identity module,
wherein the subscriber identity module comprises a software to
      execute  the  subscriber  identity  module  management-
      request instruction, and
wherein  the  communication  device  automatically  requests  the
      server  to  effect  a  content  downloading  operation  into
      the   subscriber   identity   module   via   the   second
      communication network in response to the execution of
      the   subscriber   identity   module   management-request
      instruction..." (emphasis added).
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The aforementioned limitations explicitly require: (i) a SIM management-request instruction sent from a server to a communication device, such that the communication device delivers this request to the SIM; (ii) execution of the instructions in the request by the SIM; and (iii) a communication device which is able to automatically request the server to effect a content downloading operation into the SIM in response to the execution of the management request by the SIM. New independent claims 18, 21, and 23 include similar limitations. Applicants assert that the cited references (Johansson, Hahn, and Emmerson) fail to disclose, teach, or suggest the aforementioned limitations for at least the following reasons.

<u>The cited references fail to disclose, teach, or suggest a SIM card management-request sent from a server to a communication device, and then from the communication device to the SIM card.</u>

In the Action, the Examiner relied upon Johansson as teaching a management-request instruction sent from the server via the first communication network. *See* Action, p. 5. However, Applicants assert that Johansson (merely directed toward pushing packet data to a wireless communication station) is completely silent with respect to a management-request instruction for *a subscriber identity module*, such that the communication device sends the management-request

instruction to the subscriber identity module. *See* Johansson, par. [0044].

The cited references fail to disclose, teach, or suggest execution of the instructions in the request by the SIM card

Further, in the Action, the Examiner relies on Johansson as teaching execution of the instructions. *See* Action, p. 5. However, Applicants assert that Johansson fails to teach the aforementioned limitation. Specifically, as acknowledged by the Examiner, Johansson teaches that the *mobile performs executions* of applications. *Id.* Said another way, Johansson is completely silent with respect to execution of instructions in a subscriber identity module management-request *by a subscriber identity module*.

The cited references fail to disclose, teach, or suggest a communication device able to automatically request the server to effect a content downloading operation into the SIM card in response to the execution of the management request by the SIM card

In the Action, the Examiner acknowledges that Johansson fails to disclose "automatic content downloading into a communication device via a second network." *See* Action, p. 5. Rather, the Examiner relies on Hahn to teach that which Johansson lacks. Applicants respectfully assert that Hahn fails to teach or suggest that which Johansson lacks. This is further evidenced by the fact that while Hahn discloses receiving data from a server, there is no mention in Hahn that the receipt of data is automatic. *See* Hahn, Fig. 1. Thus, Hahn fails to disclose, teach, or suggest a subscriber identity module comprising a software to execute the management-request instruction which causes the communication device to automatically request the server to effect a content downloading operation into the subscriber identity module.

Further, Emmerson does not disclose, teach, or suggest that which Johansson and Hahn

lack as evidenced by the fact that Emmerson is only relied upon to teach or suggest a "security protocol." Specifically, Emmerson is only directed to a method for facilitating communication between a client and a server. *See* Emmerson, par. [0001]. Thus, Emmerson fails to disclose, teach, or suggest any of the limitations of new independent claims 13, 18, 21, and 23.

In view of the above, new claims 13-24 are believed to be patentable over Johansson, Hahn, and Emmerson. Accordingly, favorable action in the form of a Notice of Allowance is respectfully requested for new claims 13-24.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09669/041001).

Dated: July 18, 2008   Respectfully submitted,

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